

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

HA 04

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/673074

INTERNATIONAL APPLICATION NO.

PCT/GB99/01066

INTERNATIONAL FILING DATE

7 April 1999

PRIORITY DATE CLAIMED

7 April 1998

TITLE OF INVENTION

OCULAR IRRIGATING SOLUTION

APPLICANT(S) FOR DO/EO/US

ARMITAGE, William, J. and YAGOUBI, Mohamed, I.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ Certificate of Mailing by Express Mail
20. ☐ Other items or information:

U.S. APPLICATION NO. (IF KNOWN SEE 37 CFR 1.53) 09/67307		INTERNATIONAL APPLICATION NO. PCT/GB99/01066		ATTORNEY'S DOCKET NUMBER HASLP004	
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21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1,000.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$860.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$690.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

	\$0.00	\$860.00
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Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

	\$0.00	
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	1 - 20 = 0	0	x \$18.00	\$0.00	0
Independent claims	2 - 3 = 0	0	x \$80.00	\$0.00	0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	0

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☐

	\$0.00	
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SUBTOTAL =

	\$0.00	
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Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

	\$0.00	
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TOTAL NATIONAL FEE =

	\$0.00	
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

	\$0.00	
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TOTAL FEES ENCLOSED =

	\$0.00	\$860.00
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	Amount to be: refunded	\$
	charged	\$

☒ A check in the amount of \$860.00 to cover the above fees is enclosed.


☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0388 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

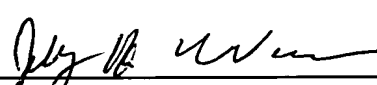
SEND ALL CORRESPONDENCE TO:

BEYER WEAVER & THOMAS, LLP
P.O. BOX 778
BERKELEY, CA 94704-0778



22434

PATENT TRADEMARK OFFICE


SIGNATURE

Jeffrey K. Weaver
NAME

31,314
REGISTRATION NUMBER

October 10, 2000
DATE



10-10

09/673074
525 Rec'd PCT/PTO 04 OCT 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on October 04, 2000 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EL560313937US, addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: HASLP004

First Named Inventor: Armitage

Nidhi Khanna

Nidhi Khanna

TRANSMITTAL LETTER FOR A PCT INTERNATIONAL APPLICATION ENTERING THE NATIONAL STAGE IN THE U.S. AS A DESIGNATED or ELECTED OFFICE UNDER 35 USC 371

Assistant Commissioner for Patents
Box PCT
Attention: DO/EO
Washington, DC 20231

☐ Duplicate for
fee processing

Transmitted herewith are the papers required to enter the national stage in the U.S. as a designated office/elected office for the following PCT international patent application:

INTERNATIONAL APPLICATION NUMBER: PCT/GB99/01066

Int'l Filing Date: April 7, 1999

1st Priority Date: April 7, 1998

Inventor(s): William John Armitage and Mohamed Ibrahim Yagoubi

For: OCULAR IRRIGATING SOLUTION

The United States Patent Office is: (select one)

☐ A Designated Office (No Demand was filed - See 37 CFR 1.494)

☒ An Elected Office (A Demand for Preliminary Examination was Filed - See 37 CFR 1.495)

Enclosures:

☒ A copy of the international application (if this line is not checked, the international application was previously communicated by the International Bureau or the international application was originally filed in the USPTO).

☐ An English Translation of the International Application

☐ A Combined Declaration and Power of Attorney

☐ A copy of amendments made under PCT Article 19

☐ A translation of amendments made under PCT Article 19

☐ A translation of amendments made under PCT Article 34 (annexes to the international preliminary examination report)

☐ Verified Statement establishing Small Entity Status under 37 CFR 1.9 and 1.27.

☐ Information Disclosure Statement

- ☐ An Assignment of the Invention to:
(with \$40.00 recordal fee)
- ☒ A Preliminary Amendment
- ☒ A copy of the International Search Report
- ☒ A copy of the Preliminary Examination Report

Fee Calculation:

<input type="checkbox"/>	BASIC FEE		\$
	(IPEA-U.S. \$690/345; ISA-U.S. \$710/355; PTO not ISA or IPEA \$1000/500; U.S. IPEA all claims meet 33(2)-(4) \$100/50; File w/ EPO or JPO search report \$860/430;)		
<input type="checkbox"/>	Surcharge for filing a late oath or declaration (\$130/65)		\$
<input type="checkbox"/>	Surcharge for filing a late translation (\$130)		\$
<input type="checkbox"/>	Assignment recordal fee (\$40)		\$
<input type="checkbox"/>	Multiple dependent claims (\$270/135)		\$
<input type="checkbox"/>	Excess claims - see calculation below		\$
	Total Claims: - 20 = 0	X \$18/9 claim =	\$
	Independent Claims: - 3 = 0	X \$80/40 ind. claim =	\$
		Excess Claim Total	\$
		TOTAL FEES	\$

☒ **PLEASE DEFER THE FILING FEES AT THIS TIME**

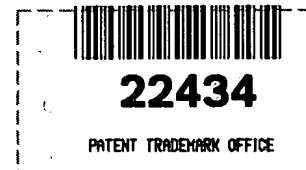
☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-0388 (Order No. HASLP004).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0388 (Order No. HASLP004).

☒ Please send correspondence to the following address:

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Date: October 4, 2000

Jeffrey K. Weaver

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